

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
EASTERN DIVISION**

**BARBARA DAVIDSON**

**PLAINTIFF**

**v.**

**2:06CV00133-WRW**

**CINGULAR WIRELESS LLC,  
d/b/a CINGULAR WIRELESS**

**DEFENDANT**

**ORDER**

On March 23, 2007, an Order (Doc. No. 48) was entered granting Defendants' Motion to Compel Arbitration. Pending is Plaintiff's Motion for Reconsideration (Doc. No. 50). Defendant has responded (Doc. No. 51).

Of Plaintiff's several arguments, she asks that the administrative closing of this case be withdrawn and dismissal be entered so that a final appealable order exists. The Federal Arbitration Act provides that no appeal may be taken from an interlocutory order granting a motion to compel arbitration and staying litigation pending arbitration.<sup>1</sup> The administrative closing is just that -- an order staying litigation pending the results of arbitration. If Plaintiff wants an appealable order, then I recommend that she go to arbitration forthwith. Then, the Eighth Circuit will be able to hear argument on both the motion to compel arbitration but also the results of the arbitration.

After a thorough review of Plaintiff's motion, I find no reason to amend the Order compelling arbitration. Plaintiffs' Motion is DENIED.

IT IS SO ORDERED this 26<sup>th</sup> day of April, 2007.

/s/Wm. R. Wilson, Jr.  
UNITED STATES DISTRICT JUDGE

---

<sup>1</sup>9 U.S.C. § 9(b)(1).